

105TH CONGRESS
1ST SESSION

H. R. 1948

To provide for the exchange of lands within Admiralty Island National Monument, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 1997

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Resources

A BILL

To provide for the exchange of lands within Admiralty Island National Monument, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hood Bay Land Ex-
5 change Act of 1997”.

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

8 (1) The Alaska National Interest Lands Con-
9 servation Act established the Admiralty Island Na-

1 tional Monument which is managed by the United
2 States Forest Service.

3 (2) The Forest Service has established a policy
4 of encouraging the acquisition of private land
5 inholdings within Admiralty Island National Monu-
6 ment on a willing buyer/willing seller basis. Congress
7 has supported this policy, for example by passage of
8 the Greens Creek Land Exchange Act of 1996 which
9 provided for a land exchange of certain public and
10 private lands in Admiralty Island National Monu-
11 ment.

12 (3) Hood Bay, which is located on Admiralty
13 Island, is available for transfer to Federal ownership
14 on a willing seller/willing buyer basis. The acquisi-
15 tion of Hood Bay would provide Federal ownership
16 of this very valuable land in a critical area of Admi-
17 ralty Island National Monument.

18 (4) Transfer of the Federal Government's re-
19 versionary interest in land in Silver Bay near Sitka,
20 Alaska, to Alaska Pulp Corporation will facilitate
21 transfer of a portion of that land by Alaska Pulp
22 Corporation to Sitka, Alaska.

23 **SEC. 3. DEFINITIONS.**

24 As used in this Act—

1 (1) the term “ANILCA” means the Alaska Na-
2 tional Interest Lands Conservation Act (16 U.S.C.
3 3101 et seq.);

4 (2) the term “Company” means the Alaska
5 Pulp Corporation, an Alaska corporation;

6 (3) the term “Company Property” means the
7 property depicted on the map entitled “Hood Bay
8 Exchange Lands”, dated May ____, 1997, consisting
9 of approximately 50 acres of land.

10 (4) the term “Federal Property” means the re-
11 versionary interest of the United States described in
12 paragraphs (6) and (7) of the patent dated October
13 18, 1960, granted by the Bureau of Land Manage-
14 ment to Alaska Lumber & Pulp Co., which was re-
15 corded at Book 15, Pages 271–23, Sitka Recording
16 District on November 9, 1960;

17 (5) the term “Monument” means the Admiralty
18 Island National Monument, which is managed as a
19 unit of the United States Forest System and was es-
20 tablished by section 503 of ANILCA;

21 (6) the term “Secretary” means the Secretary
22 of Agriculture;

23 (7) the term “Sitka” means the city and bor-
24 ough of Sitka, Alaska, a home-rule borough formed
25 in accordance with the laws of the State of Alaska.

1 (8) the term “Sitka Property” means the prop-
2 erty depicted on the map entitled “Sitka Lands”,
3 dated May ____, 1997, consisting of approximately
4 ____ acres of land.

5 **SEC. 4. LAND EXCHANGE AND TRANSFER.**

6 (a) EXCHANGE OF COMPANY AND FEDERAL PROP-
7 ERTY.—Not later than 60 days after the Company trans-
8 fers all right, title, and interest of the Company in and
9 to the Company Property to the United States, the Sec-
10 retary shall transfer to the Company all right, title, and
11 interest of the United States in and to the Federal Prop-
12 erty.

13 (b) TRANSFER OF PROPERTY TO SITKA.—Upon
14 transfer of the Federal Property to the Company under
15 subsection (a), the Company shall transfer all right, title,
16 and interest of the Company in the Sitka Property to
17 Sitka.

18 (c) AVAILABILITY OF MAPS.—The map referred to
19 in section 3(3) depicting the Company Property and the
20 map referred to in section 3(8) depicting the Sitka Prop-
21 erty shall be on file and available for public inspection in
22 the office of the Supervisor of the Chatham Area, Tongass
23 National Forest in Sitka, Alaska.

1 **SEC. 5. PROCESSING OF AND TERMS AND CONDITIONS RE-**
2 **LATING TO LAND EXCHANGE.**

3 (a) SURVEYS.—Notwithstanding any other provision
4 of law, the Secretary may conduct and approve all cadas-
5 tral surveys that are necessary for completion of the ex-
6 change.

7 (b) WAIVER OF ADDITIONAL CONSIDERATION.—The
8 values of the Federal Property and the Company Property
9 are not deemed to be of equal value. The value of the Com-
10 pany Property is deemed to exceed the value of the Fed-
11 eral Property. As a condition of this exchange, the Com-
12 pany shall waive any additional consideration not provided
13 in this Act.

14 (c) ADMINISTRATION.—The Secretary is authorized
15 to implement and administer the rights and obligations
16 of the United States under the Agreement.

17 (d) SAVINGS PROVISIONS.—Implementation of this
18 Act shall not be deemed a major Federal action signifi-
19 cantly affecting the quality of the human environment, nor
20 shall implementation require further consideration pursu-
21 ant to the National Historic Preservation Act, title VIII
22 of ANILCA, or any other law.

23 **SEC. 6. ADMINISTRATION OF LAND ACQUIRED BY THE**
24 **UNITED STATES.**

25 After transfer to the United States pursuant to sec-
26 tion 4(a)—

1 (1) the Company Property shall be added to
2 and administered as part of the Admiralty Island
3 National Monument; and

4 (2) the portions of the Company Property lo-
5 cated within the Admiralty Island Wilderness area
6 shall be added to and administered as part of such
7 wilderness area.

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